

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISION

**AGREED MOTION FOR
SECOND EXTENSION OF DISCOVERY COMPLETION DATE**

Defendant United States of America, by Morris Pasqual, Acting United States Attorney for the Northern District of Illinois, and with the agreement of plaintiff, requests that the court extend the deadline to complete fact discovery by 90 days, to June 3, 2024, and adopt the proposed revised discovery schedule, and in support of this motion states as follows:

1. Plaintiff David Bourke brings this Federal Tort Claims Act lawsuit against the United States of America arising out of medical care provided at the United States Department of Veterans Affairs Hines Medical Center.

2. Fact discovery in this complex medical malpractice case is set to close on March 5, 2024, following an unopposed motion by Bourke to extend fact discovery. Dkt. 49.

3. The United States files this motion in accordance with this court's order of December 1, 2023. Dkt. 51.

4. Counsel for the United States is set to begin a 10-day trial on January 16, 2024, in a complex, high-value case, *K.G. v. United States*, No. 20 C 2872 (N.D. Ill.). Bourke has identified two VA providers for deposition, but the schedules for these providers, along with the

undersigned's preparations for trial, will prevent the parties from conducting these depositions before the current fact discovery cut-off date.

5. Should the court grant this motion, the United States will produce the VA providers for deposition on March 12th and 19th of 2024. The United States will depose Bourke on February 13, 2024, in advance of the current fact discovery completion date.

6. Therefore, the United States, with Bourke's agreement, proposes the following extended discovery schedule:

June 3, 2024	Fact discovery completed
July 22, 2024	Plaintiff's expert disclosures
August 28, 2024	Defendant's expert disclosures
November 18, 2024	All expert discovery completed
August 28, 2024	Dispositive motions

7. The present motion is the United States first request for an extension of discovery, and the parties are confident that they can complete fact discovery by the requested new discovery close date of June 3, 2024.

8. Bourke has reviewed and agrees to this proposed revised schedule.

WHEREFORE, the United States requests that the court extend the deadline to complete fact discovery to June 3, 2024, and adopt the proposed revised schedule.

Respectfully submitted,

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